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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,006	06/21/2001	Yutaka Ueda	160-360	3523

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EXAMINER

BOSS, WENDY L

ART UNIT

PAPER NUMBER

1775

DATE MAILED: 09/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/885,006

Applicant(s)

UEDA ET AL.

Examiner

Wendy Boss

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 11
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 4, 6-8, 10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,267,838 (Saugnac et al.).

Saugnac discloses a honeycomb sandwich panel comprising a honeycomb core having a number of cells extending therethrough in a thickness direction of the honeycomb core; and a front surface layer and a rear surface layer provided on both sides of the cells in a thickness direction of the honeycomb core and fused to close openings of the cells, at least one of the surface layers is made of a porous and air-permeable fiber reinforced plastic using a phenolic resin as a matrix (see column 4, lines 4-9). The reference also discloses that the phenolic resin becomes porous and allows passage of air between inside and outside the cells, when it has been cured after heating (see column 4, line 62 through column 5, line 2). In the honeycomb sandwich panel disclosed in the reference, the porous and air-permeable fiber reinforced plastic is a porous and air-permeable glass fiber reinforced plastic (see column 4, lines 48). Saugnac further discloses that the honeycomb core may be made of an aramid fiber material (see column 4, lines 34-36), as recited in claims 6 and 12.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 5, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,267,838 (Saugnac et al.) in view of U.S. Patent No. 5,543,198 (Wilson) and U.S. Patent No. 6,117,518 (Cawse et al.).

Saugnac discloses a honeycomb sandwich panel as shown above in paragraph number 2. The honeycomb in the reference is made of aramid rather than a light metal; however, attention is directed to column 4, lines 2-13 of Wilson, which teaches that aluminum alloy (lightweight metal) honeycombs may be used interchangeably with aramid fiber honeycombs. Such a teaching would have motivated one having ordinary skill in the art to substitute a lightweight metal honeycomb for the aramid honeycomb of Saugnac. The Saugnac reference also discloses that the fibers are made of glass fibers rather than carbon. Attention is directed to column 4, lines 18-23 of Cawse, which teaches that carbon fiber sheets as well as glass fiber sheets may be used as facings for honeycomb panels. Such a teaching would have motivated one having ordinary skill in the art to substitute the glass fiber sheeting of Saugnac with carbon fiber sheeting.

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Response to Arguments

5. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wendy Boss whose telephone number is 703-306-5922. The examiner can normally be reached on M-Th 8:30a-6:00p; 2nd F 8:30a-5:00p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on 703-308-3822.



Wendy Boss
August 28, 2003


DEBORAH JONES
SUPERVISORY PATENT EXAMINER